

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

APR 07 2025

CLERK, U.S. DISTRICT COURT
TEXAS EASTERN

JENNIFER RYAN,

Plaintiff,

v.

PAYPAL INC.,

Defendant.

CIVIL ACTION NO.: 4:22-cv-559

JURY TRIAL DEMANDED

**PLAINTIFF'S OPPOSITION TO PAYPAL'S MOTION TO STRIKE
SECOND AND THIRD AMENDED COMPLAINTS**

TO THE HONORABLE BILL DAVIS, UNITED STATES MAGISTRATE JUDGE:

Plaintiff Jennifer Ryan, pro se, respectfully opposes PayPal Inc.'s untimely motion to strike her Second Amended Complaint (Dkt. #49) and Third Amended Complaint (Dkt. #62), as urged in Defendant's Combined Response to Plaintiff's Motion for Default Judgment and Motion to Strike Second and Third Amended Complaints (Dkt. #66, filed April 4, 2025), 39 days after Dkt. #49's filing on February 24, 2025—18 days past its March 17 deadline. PayPal's 39-day silence admits Dkt. #49's facts under Rule 8(b)(6) (*Lewis v. Lynn*, 236 F.3d 766, 768 (5th Cir. 2001)), unexcused by the stay (Dkt. #25; *Klay v. UnitedHealthgroup, Inc.*, 376 F.3d 1092, 1102-03 (11th Cir. 2004)); the Third Amended Complaint (Dkt. #62, filed April 2, 2025) doesn't erase Dkt. #49's pre-default status (Dkt. #60, filed March 31, 2025). Dkt. #66's strike isn't a response—Plaintiff's Motion for Default Judgment and Affidavit in Support (Dkt. #60; Dkt. #64, filed April 3, 2025) and unaddressed motions (Dkt. #47, #50, #54, #57, #58, #59) crush Defendant's late filings (Dkt. #65, #66, April 4, 2025). The clerk's 4-day delay since Dkt. #64 must end Monday, April 7, 2025.

1. PayPal's 39-day silence—18 days past due—on Dkt. #49 triggered default (Dkt. #60, #64) before Dkt. #62. Their April 4 filings (Dkt. #65, #66) ignore Dkt. #49's substance, too late to contest (*In re Mirant*

Corp., 613 F.3d 584, 591 (5th Cir. 2010)). Dkt. #66's strike isn't a response under Rule 12—default admits the Second Amended Complaint's claims (§§ 13-30), including:

- a. Collusion with the government to cancel/leak (§ 13).
 - b. Collusion with the media/government to defame (§ 14).
 - c. State actor status (§ 15).
 - d. State entwinement (§ 16).
 - e. Illegal spying (§ 19).
 - f. Selective enforcement (§§ 22-24).
 - g. Constitutional discrimination (§ 23).
 - h. Causing imprisonment (§ 24, Ex. Q).
 - i. Defamation with actual malice (§ 25).
 - j. Privacy violation (§§ 18-19).
 - k. Arbitration waiver (Section V).
 - l. First Amendment violation (§ 27).
 - m. Fifth Amendment violation (§ 28).
 - n. Defamation (§ 30).
2. The Second Amended Complaint's exhibits (e.g., Ex. G: FinCEN collusion; Ex. A: EO 14147) and the Third Amended Complaint's exhibits (Ex. AA: damages) are material (*Augustus v. Bd. of Pub. Instruction*, 306 F.2d 862, 868 (5th Cir. 1962)), backed by Dkt. #47, #50, #54, #57, #58, #59—all unaddressed, with congressional proof of FinCEN ties (Ex. G).
 3. PayPal's stay argument (Dkt. #66) and claim that Dkt. #49 and #62 needed leave (*Martinez v. Foods*, 2013 WL 12394357, at *2 (W.D. Tex. Nov. 6, 2013)) fail—PayPal's procedural objections, raised 18 days past the March 17 deadline after default (Dkt. #60), are baseless; 36-day silence on the Second Amended Complaint stands despite Dkt. #62, Their claim that the Third Amended Complaint asserts no causes of action is irrelevant—as it supplements Dkt. #49 (p. 1), reinforcing its admitted claims; Dkt.

#66's "frivolous" label on Plaintiff's motions (Dkt. #44, #47, #50, #55, #58, #59) litigates merits, waiving arbitration per their own terms ("reimbursing fees for frivolous claims"), yet they defaulted; default (Dkt. #60, #64) and waiver (Morgan v. Sundance, Inc., 142 S. Ct. 1708, 1714 (2022)) override with zero strike chance. The Third Amended Complaint incorporates the Second Amended Complaint, and pro se leniency applies (Haines v. Kerner, 404 U.S. 519, 520 (1972)). The clerk's delay—4 days since Plaintiff's Motion for Default (Dkt. #64)—disrespects Plaintiff's harm (\$85M default per Dkt. #49, ¶ 30; higher damages sought per Dkt. #63, Ex. AA).

WHEREFORE, Plaintiff requests the Court deny PayPal's motion to strike Dkt. #49 and Dkt. #62, order the clerk to enter default Monday, April 7, 2025, for \$85M, set a damages hearing, and grant further relief as just.

Dated: April 7, 2025

Respectfully submitted,


Jennifer L. Ryan
Pro Se Plaintiff
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469-491-0587

CERTIFICATE OF SERVICE

I certify that on April 14, 2025, I hand-delivered this Plaintiff's Opposition to PayPal's Motion to Strike Dkt. #49 and Dkt. #62 to the United States Courthouse, 7940 Preston Rd, Plano, TX 75024, for filing in Case No. 4:22-cv-559, and served it via CM/ECF to all counsel of record per Fed. R. Civ. P. 5 and Local Rule CV-5.

/s/ Jennifer L. Ryan